



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Israel RUBINSTEIN, et al

Serial No.: 09/922,220 Group No.: 1743

Filed: August 3, 2001 Examiner.:

For: METHOD AND APPARATUS FOR DETECTING AND QUANTIFYING A CHEMICAL
SUBSTANCE EMPLOYING A SPECTRAL PROPERTY OF METALLIC ISLANDS

Attorney Docket No.: U 013579-0

Assistant Commissioner of Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

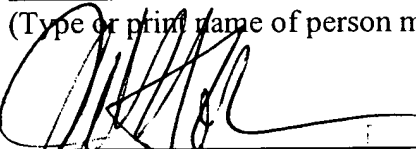
I hereby certify that the attached correspondence comprising:

INFORMATION DISCLOSURE STATEMENT
FORM PTO-1449
THIRTEEN (13) REFERENCES
POSTCARD

is being deposited with the United States Postal Service as first class mail in an envelope
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on December 12, 2001.

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(Certificate of Mailing Under 37 CFR 1.8(a) [8-2])



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)	Art Unit: (N/A)
Israel RUBINSTEIN, et al.)	Examiner: (N/A)
Serial No.: 09/922,220)	Washington, D.C.
Filed: August 3, 2001)	November 29, 2001
For: METHOD AND APPARATUS FOR DETECTING AND QUANTIFYING A CHEMICAL SUBSTANCE EMPLOYING A SPECTRAL PROPERTY OF METALLIC ISLANDS)	Docket No.: U 013579-8

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

☒ 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☐ B. before the mailing date of a first office action on the merits.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

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4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[] 5. Other information being provided for the examiner's consideration follows:

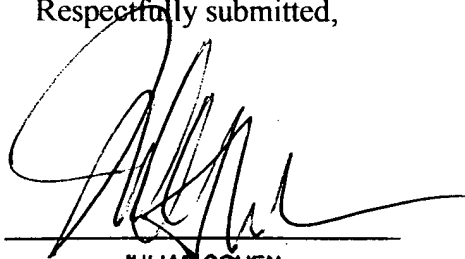
6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

(1) U.S. Provisional Patent Application Serial no.: 60/271,620, entitled: "UV/vis Surface Plasmon Measurements for Monitoring Adsorption on Ultrathin Gold Films", filed February 26, 2001.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julian Cohen', is written over a horizontal line.

JULIAN COHEN
c/o LADAS & PARRY
28 WEST 61st STREET
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Reg. No. 20302 (212) 708-1888

☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. _____).

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☒ 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) _____ is(are) not in the English language. In accordance with 1.98(c), Applicant states:

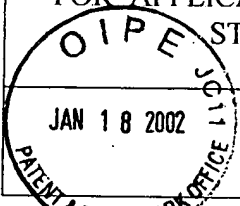
☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
[Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

FORM PTO-1449 (Colb)	ATTY DOCKET NO. U 013579-8	SERIAL NUMBER 09/922,220
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Israel RUBINSTEIN, et al.	
	FILING DATE August 3, 2001	GROUP ART UNIT (N/A)

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	5,449,918	Sept. 1995	Krull, et al.	250	458.1	
	AB	6,208,422	Mar. 2001	Naya	356	445	
	AC	5,715,334	Feb. 1998	Peters	382	254	
	AD	5,670,978	Sept. 1997	Kobayashi, et al.	345	94	
	AE	6,221,426	Apr. 2001	Yamanobe	427	77	
	AF	6,184,610	Feb. 2001	Shibata, et al.	313	309	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANSLATION
	AG						
	AH						

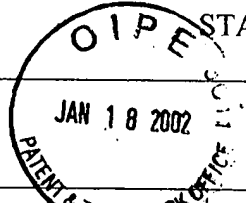
OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AI	Kalyuzhny, G. et al., "Spectroscopic Characterization of self-Assembled Macrocycle Monolayers on Gold", I. Rev. Anal. Chem. 1999, 18, pp. 237-242.
AJ	Kalyuzhny, G. et al., "UV/Vis Spectroscopy of Metalloporphyrin and Metallophthalocyanine Monolayers Self-Assembled on Ultrathin Gold Films", I. 2000, J. Phys. Chem. B 104, pp. 8238-8244.
AK	www.cranfield.ac.uk/biotech/spr.htm , 2001.
AL	Charles A. Goss, et al., "Application of (3-Mercaptopropyl) Trimethoxysilane as a Molecular Adhesive in the Fabrication of Vapor-Deposited Gold Electrodes on Glass Substrates", M. Anal. Chem. 1991, 63, pp. 85-88.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Colb)	ATTY DOCKET NO. U 013579-8	SERIAL NUMBER 09/922,220
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Israel RUBINSTEIN, et al.	
	FILING DATE August 3, 2001	GROUP ART UNIT (N/A)

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,168,825	Jan. 2001	O'Brien, et al.	427	160	
	AB	5,999,315	Dec. 1999	Fukano, et al.	359	492	
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AG						
	AH						

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

	AI	Kalyuzhny, G. et al., "Differential Plasmon Spectroscopy as a Tool for Monitoring Molecular Binding to Ultrathin Gold Films", J. Am. Chem. Soc. 2001, 123, pp. 3177-3178.
	AJ	
	AK	
	AL	

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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.